



201 South Main Street
Suite 1800
Salt Lake City, Utah
84111-2218
Post Office Box 45898
Salt Lake City, Utah
84145-0898
Telephone 801 532-1234
Facsimile 801 536-6111
E-Mail: pbl@pblutah.com



A PROFESSIONAL
LAW CORPORATION

08-21-01
✓ \$ Sector
430187
August 20, 2001

Vanessa B. Pierce

Direct Dial
801 536-6707
E-Mail
VPierce@pblutah.com

VIA U.S. EXPRESS MAIL LABEL NO. EL 900 132 709 US

Box MISSING PARTS
Assistant Commissioner for Patents
Washington, D. C. 20231

Re: Affymetrix, Inc. Nonprovisional Patent Application
"Tag Nucleic Acids and Probe Arrays"
Docket No. 04537.005/3108.1

Sirs:

We are responding to your *Notice of Incomplete Reply (Nonprovisional)*, which was mailed on July 12, 2001. We enclose the appropriate documents for your filing purposes. This mailing consists of:

1. The computer readable form;
2. a copy of the original *Notice to File Missing Parts*;
3. a *Petition for Extension of Time and Statement Under C.F.R. § 1.821(f)*;
4. a copy of the *Notice of Incomplete Reply (Nonprovisional)*;
5. an Express Mail certificate of mailing; and
6. a return postcard.

Please charge any fees that may be due to Deposit Account No. 50-0581 of the undersigned.

Sincerely,

PARSONS BEHLE & LATIMER

Vanessa B. Pierce
Registered Patent Attorney, #42,074

VBP/kgs
enclosures



Vanessa B. Pierce
Registered Patent Attorney

Direct Dial
801 536-6707
E-Mail
VPierce@pblutah.com

CERTIFICATE OF MAILING BY EXPRESS MAIL

“Express Mail” Mailing Label No. EL 900 132 709 US

Date of Deposit: August 20, 2001

I hereby certify that the attached computer readable form, copy of the original *Notice to File Missing Parts, Petition for Extension of Time and Statement Under C.F.R. § 1.821 (f)*, copy of the *Notice of Incomplete Reply*, and return postcard are being deposited with the United States Postal Service “Express Mail Post Office to Addressee” service under 37 C.F.R. § 1.10 on the date indicated above in an envelope addressed to: Box MISSING PARTS, Assistant Commissioner for Patents, Washington, D.C. 20231.

DATED this 20th day of August, 2001.

Respectfully submitted,



Kimberly G. Snow
Assistant to VANESSA B. PIERCE
Registration No. 42,074
Attorney for Applicant

Attorney docket: 04537.005 / 3108.1



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
 UNITED STATES PATENT AND TRADEMARK OFFICE
 WASHINGTON, D.C. 20231
 www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/827,383	04/04/2001	Michael Mittmann	3108.1

CONFIRMATION NO. 6376

22886
 AFFYMETRIX, INC
 ATTN: CHIEF IP COUNSEL, LEGAL DEPT.
 3380 CENTRAL EXPRESSWAY
 SANTA CLARA, CA 95051

FORMALITIES LETTER



OC00000006094833

Date Mailed: 05/18/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 130.**
- This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600

- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

Iszenk
Customer Service Center
Initial Patent Examination Division (703) 308-1202
PART 2 - COPY TO BE RETURNED WITH RESPONSE